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Cc: Laidlaw, Tina[Laidlaw.Tina@epa.gov]
From: Kusnierz, Lisa
Sent: Fri 3/4/2016 5:46:28 PM
Subject: Variances in the Lagoon GP

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Hey,

I found the part of our approval letter that mentions the lagoon GP being excluded. It's at the bottom of page 17 (see paragraph below). Perhaps we should meet sometime soon to discuss options from EPA's perspective.

Basis for Approval

In the EPA's review of Montana's economic demonstration, the EPA first reviewed the list of dischargers included in the state's analysis. The EPA notes that an estimated thirty dischargers included in the state's economic analysis discharge into non-wadeable rivers for which numeric nutrient criteria have not yet been derived or adopted. Based on ARM 17.30.660(1), the EPA understands that these facilities will continue to be subject to Montana's existing narrative criterion instead of the NNC and therefore the EPA's approval of general variances today does not include these dischargers. Additionally, the state's economic analysis included dischargers currently covered by a general permit for domestic sewage lagoons. The EPA's approval of general variances today does not apply to these lagoons because they are not yet subject to the NNC.

The EPA evaluated whether including these facilities in the state's economic analysis affected the final

⁵¹ See Table 5; Pages 8-10. Blend, Jeff; Suplee, Michael. 2012. Demonstration of Substantial and Widespread Economic Impacts to Montana That Would Result if Base Numeric Nutrient Standards had to be Met by Entities in the Private Sector in 2011/2012. Helena, MT: Montana Dept. of Environmental Quality.

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